

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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Melvin JOHNSON, Jamal SCOTT, and  
Armando TORRES; individually and on  
behalf of all similarly situated individuals,

Plaintiffs,

-vs-

**NOTICE OF MOTION  
TO EXTEND THE  
SCHEDULING ORDER  
18-CV-6568**

NEW YORK STATE DEPARTMENT OF  
CORRECTIONS AND COMMUNITY  
SUPERVISION, GOVERNOR ANDREW  
CUOMO, in his official capacity, ACTING  
COMMISSIONER ANTHONY ANNUCCI,  
in his official capacity, and THE STATE OF  
NEW YORK,

Defendants.

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**PLEASE TAKE NOTICE** that upon the pleadings in this action all papers previously filed and the attorney declaration, Defendants move for an order granting a motion to Extend the Scheduling Order as well as such other and further relief as this Court may deem just and proper.

This Motion is submitted on the papers. No oral argument is requested. The Defendants reserve the right to submit reply papers.

Dated: April 25, 2019  
Rochester, New York

LETITIA JAMES  
Attorney General of the State of New York  
Attorney for Defendants

s/Gary M. Levine  
GARY M. LEVINE  
Assistant Attorney General of Counsel  
NYS Office of the Attorney General  
144 Exchange Boulevard, Suite 200  
Rochester, New York 14614  
Telephone: (585) 546-7430  
gary.levine@ag.ny.gov

### **CERTIFICATE OF SERVICE**

I certify that on April 25, 2019, I electronically filed the foregoing Notice of Motion to Extend the Scheduling Order on behalf of defendants with the Clerk of the District Court using CM/ECF system, which sent notification of such filing to the following:

1. Jessica Louise Barlow  
Disability Rights New York  
44 Exchange Blvd  
Suite 110  
Rochester, NY 14614  
585-512-4841  
585-348-9823 (fax)  
jessica.barlow@drny.org
2. Simeon L. Goldman  
Disability Rights New York  
725 Broadway  
Suite 450  
Albany, NY 12207  
518 432-7861  
518 427-6561 (fax)  
sim.goldman@drny.org
3. Megan T Williams  
Disability Rights New York  
725 Broadway  
Suite 450  
Albany, NY 12207  
518 275-9492  
518 427-6561 (fax)  
megan.williams@drny.org

LETITIA JAMES  
Attorney General of the State of New York  
Attorney for Defendants

s/Gary M. Levine  
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